IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

C.R.No.772 of 2007

DATE OF ORDER: 13.2.2007

Gurdev Singh

...Petitioner(s)

Versus

Brij Nandan Singh etc

....Respondent(s)

CORUM : HON'BLE MR. JUSTICE M.M. AGGARWAL

.*.*.*.

Present: Mr. P.K. Gupta, Advocate.

M.M. AGGARWAL,J

This is petition against order dated 6.2.2007 passed by Additional Civil Judge(Sr.Divn.), Jagraon whereby an application of the defendant under Section 151 CPC was allowed and request of the plaintiff to examine second handwriting expert in his evidence was declined.

Counsel for the petitioner points out that the plaintiff-petitioner had earlier approached this Court by filing a petition bearing C.R.No.6662 of 2005 and this Court vide order dated 26.10.2006 had granted one opportunity to the plaintiff to lead evidence subject to costs. Counsel for the petitioner further points out that only handwriting expert is to be examined in additional evidence for which one opportunity was given by

the Court. He states that no other witness except handwriting expert was to be examined.

I have gone through the order dated 6.2.2007 passed by Additional Civil Judge(Sr.Divn.), Jagraon and the order dated 26.10.2006 passed by this Court.

Since the counsel for the petitioner-plaintiff states that only one handwriting expert is to be examined in evidence for which opportunity was given by this Court vide order dated 26.10.2006, this petition is allowed. Let order dated 26.10.2006 passed by this Court be complied with and an opportunity be given to the plaintiff-petitioner to lead evidence by way of examining handwriting expert. Defendant be given opportunity to rebut that evidence.

February 13, 2007 (M.M. AGGARWAL)
manoj JUDGE